

TABLE 7. BENEFITS FOR PERMANENT TOTAL DISABILITY PROVIDED BY WORKERS' COMPENSATION STATUTES
IN THE U.S.
SAWW - State's Average Weekly Wage

| Jurisdiction | Percentage of Worker's Wage | Payments Per Week | | Percentage of SAWW | Maximum Period | Notes |
|--------------|---|--|----------|-----------------------|--------------------------------------|---|
| | | Minimum | Maximum | | | |
| Alabama..... | 66 2/3 | \$146 - 27 1/2% of SAWW, or worker's average wage if less. | \$531.00 | 100 | Duration of disability | |
| Alaska..... | 80% of worker's spendable earnings | \$110, or \$168 if the employee shows proof of wages, or worker's spendable weekly wage if less. | \$762.00 | 120 | Duration of disability | WC benefits subject to reduction by Social Security, any previously awarded PPD benefits. |
| Arizona..... | 66 2/3 | Payable, but not statutorily pre- scribed. | \$373.94 | N/A | Life or duration of disability | Additional \$25 mon- thly added to bene- fits for dependents. |
| Arkansas.... | 66 2/3 | \$20 | \$410.00 | 85 | Duration of disability | |
| California.. | 66 2/3 | \$126 | \$490.00 | 66 2/3 | Life | |
| Colorado.... | 66 2/3 | ----- | \$593.81 | 91 | Life | WC benefits subject |

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| | | Minimum | Maximum | | | |
| Connecticut. | 75% of worker's spendable earnings | \$167.60 - 20% of SAWW, or an amount not to exceed 75% of worker's average wage if less. | \$838.00 | 100 | Duration of disability | WC benefits subject to Social Security benefit offset. |
| Delaware.... | 66 2/3 | \$149.87 - 22 2/9% of SAWW, or actual wage if less. | \$449.60 | 66 2/3 | Duration of disability | |
| District of Columbia.. | 66 2/3 or 80% of spendable earnings, whichever is less | \$237.19 - 25% of SAWW. | \$948.76 | 100 | Duration of disability | |
| Florida..... | 66 2/3 | \$20 or actual wage if less. | \$571.00 | 100 | Duration of disability | WC benefits subject to Social Security and UI benefit offsets. |
| Georgia..... | 66 2/3 | \$37.50 or average wage if less. | \$375.00 | N/A | Duration of disability | |

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| | | Minimum | Maximum | | | |
| Hawaii..... | 66 2/3 | \$137.00 - 25% of SAWW, or worker's average wage if less, but not lower than \$38. | \$547.00 | 100 | Duration of disability | |
| Idaho..... | 67 | \$222.75 - 45% of SAWW. | \$445.50 for first 52 weeks; thereafter \$282.60 | 90 | 52 weeks, thereafter 60% of SAWW for duration of disability | |
| Illinois.... | 66 2/3 | \$358.62 - 50% of SAWW. | \$956.32 | 133 1/3 | Life | |
| Indiana..... | 66 2/3 | \$50 or worker's average wage if less. | \$508.00 | N/A | 500 weeks | Total maximum amount payable is \$254,000. Thereafter, a claim- ant may receive payments indefin- ately, payable from a special fund. |
| Iowa..... | 80% of worker's spendable earnings | \$121.38 to \$180.42 or actual wage if less, according to number of dependents. | \$1,031.00 | 200 | Duration of disability | |

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| | | Minimum | Maximum | | | |
| Kansas..... | 66 2/3 | \$25 | \$401.00 | 75 | Duration of disability | Total amount payable is \$125,000. WC benefits subject to UI and Social Security benefit offsets. |
| Kentucky.... | 66 2/3 | \$106.01 - 20% of SAWW. | \$530.07 | 100 | Duration of disability | WC benefits terminate when employee qualifies for Social Security benefits. |
| Louisiana... | 66 2/3 | \$104 - 20% of SAWW, or actual wage if less. | \$388.00 | 75 | Duration of disability | WC benefits subject to Social Security benefit offsets. Volunteer firefighters limited to 520 weeks. |
| Maine..... | 80% of worker's spendable earnings | ----- | \$458.83 | 90 | Duration of disability | WC benefits subject to UI benefit offsets, except if benefits started prior to date of injury, or if benefits are a spouse's entitlement. |

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| | | Minimum | Maximum | | | |
| Maryland.... | 66 2/3 | \$50 or worker's average wage if less. | \$668.00 | 100 | Duration of disability | |
| Massachusetts | 66 2/3 | \$166.18 - 20% of SAWW or worker's average wage if less. | \$830.89 | 100 | Duration of disability | Additional \$6 will be added per depen- dent if weekly bene- fits are below \$150. |
| Michigan.... | 80% of worker's spendable earnings | \$178.62 - 25% SAWW. | \$644.00 | 90 | Duration of disability | WC benefits subject to reduction by UI. |
| Minnesota... | 66 2/3 | \$377.00 - 65% of SAWW. | \$750.00 | N/A | Until age 67 | After \$25,000 is paid, continuing payments become sub- ject to any govern- ment or Social Security benefit offsets. |
| Mississippi. | 66 2/3 | \$25 | \$316.46 | 66 2/3 | 450 weeks | Total amount payable is \$142,407. |
| Missouri.... | 66 2/3 | \$40 | \$599.96 | 105 | Duration of disability | |

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| | | Minimum | Maximum | | | |
| Montana..... | 66 2/3 | Payable, but not statutorily prescribed. | \$439.00 | 100 | Duration of disability | WC benefits subject to Social Security benefit offsets. |
| Nebraska.... | 66 2/3 | \$49 or actual wage if less. | \$508.00 | 100 | Duration of disability | |
| Nevada..... | 66 2/3 | ----- | \$580.72 | 100 | Life | |
| New Hampshire. | 60 | \$184.60 - 30% of SAWW not to exceed employee's after tax earnings. | \$923.00 | 150 | Duration of disability | |
| New Jersey.. | 70 | \$158 - 20% of SAWW. | \$591.00 | 75 | 450 weeks; in some cases benefits are payable for life | After 450 weeks, if worker has ac- cepted prescribed rehabilitation, benefits may con- tinue conditional- ly. Supplemental benefits for PTD subject to Social Security, black lung, or disability pension benefit offsets. |

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| | | Minimum | Maximum | | | |
| New Mexico.. | 66 2/3 | \$36 or actual wage if less. | \$492.98 | 100 | Lifetime | Benefits are for the life of the injured worker. |
| New York.... | 66 2/3 | \$40 or actual wage if less. | \$400.00 | N/A | Duration of disability | |
| North Carolina.. | 66 2/3 | \$30 | \$620.00 | 110 | Duration of disability | |
| North Dakota.... | 66 2/3 | \$271 - 60% of SAWW, or employee's actual wage if less, unless claimant has received PTD payments for more than 10 years. | \$497.00 | 110 | Duration of disability, or until claimant is age 65 and eligible for Social Security retirement benefits | Additional \$10 weekly for each dependent child, not to exceed worker's net wage. WC benefits are reduced by 50% of Social Security disability benefits. |
| Ohio..... | 66 2/3 | \$309.00 - 50% of SAWW, or actual wage if less. | \$618.00 | 100 | Life | WC benefits subject to Social Security benefit offsets. |
| Oklahoma.... | 70 | \$30 or actual wage if less | \$473.00 | 100 | Duration of disability | |

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| | | Minimum | Maximum | | | |
| Oregon..... | 66 2/3 | \$50 or 90% of actual wage if less. | \$628.64 | 100 | Duration of disability | Additional \$5 week- ly, not to exceed a specified time period as stated in the law for each dependent up to five people. WC benefits subject to Social Security benefit offsets. |
| Pennsylvania | 66 2/3 | \$357.78 - 90% of AWW if less. | \$644.00 | 100 | Duration of disability | WC benefits subject to Social Security benefit offsets, and by those under an employer-funded pen- sion plan as well as for severance pay. |
| Puerto Rico. | 66 2/3 | \$65 | \$200.00 (payable per month) | N/A | Duration of disability | Total amount payable is \$24,300. |
| Rhode Island | 75% of worker's spendable earnings | ----- | \$653.00 | 110 | Duration of disability | Additional \$9 for each dependent in- cluding a nonworking spouse; aggregate not to exceed 80% of worker's AWW. |

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| | | Minimum | Maximum | | | |
| South Carolina.. | 66 2/3 | \$75 or average wage if less. | \$532.77 | 100 | 500 weeks | |
| South Dakota.... | 66 2/3 | \$224 - 50% of SAWW or worker's average wage if less. | \$448.00 | 100 | Duration of disability | PTD benefits offset by Social Security retirement to extent that combined bene- fits received are greater than 150% of PTD benefits. |
| Tennessee... | 66 2/3 | \$84.30 | \$562.00 | N/A | 400 weeks | Total amount pay- able is \$224,800. If a worker is 100% disabled, maximum weekly payment can be received until age 65, and may be offset by OASDI. |
| Texas..... | 75 | \$80 - 15% of SAWW. | \$533.00 | 100 | Life for in- juries listed in statute as constituting PTD; other- wise 401 weeks | |

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| | | Minimum | Maximum | | | |
| Utah..... | 66 2/3 | \$45 | \$450.00 | 85 | 312 weeks, or life if claim- ant cannot be rehabilitated | Additional \$5 for dependent spouse and each dependent child up to 4 under age 18, not to exceed 85% of SAWW. |
| Vermont..... | 66 2/3 | \$263 - 50% of SAWW, or worker's average wage if less. | \$790.00 | 150 | Duration of disability with a mini- mum of 330 weeks | |
| Virginia.... | 66 2/3 | \$151.50 - 25% of SAWW, or employ- ee's actual wage if less. | \$606.00 | 100 | Duration of disability | |
| Virgin Islands... | 66 2/3 | \$60 or actual wages if less. | \$340.00 | 66 2/3 | Duration of disability | |
| Washington.. | 60 - 75 | \$42.69 or more, according to marital status and number of dependents. | \$821.77 | 120% of State's <u>Monthly</u> wage | Life | WC benefits subject to Social Security benefit offsets. |

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| | | Minimum | Maximum | | | |
| West Virginia.. | 66 2/3 | \$163.52 - 33 1/3% of SAWW.** | \$490.55 | 100 | Life | **Claimants receiving benefits prior to 7/1/94 shall not have their benefits reduced based upon the requirement that such benefits shall not exceed the applicable Federal minimum hourly wage. Awards of PTD, including pending claims, are payable until claimant attains the age necessary to receive Social Security Old Age Retirement. A claimant may elect to receive reduced payments to provide an annuity at death for surviving dependents. |
| Wisconsin... | 66 2/3 | \$30 or actual wage if less. | \$582.00 | 100 | Life | WC benefits subject to Social Security benefit offsets. |

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| | | Minimum | Maximum | | | |
| Wyoming..... | ----- | ----- | \$504.88 | 66 2/3 of monthly wage | 80 months; benefits may be ex- tended by the WC Divi- sion | Children receive a lump sum equal to \$100 per month until age of majority, or until 21 if in- capacitated. |
| United States*: FECA..... | 66 2/3 - 75** | \$230.99 or actual wage if less. | \$1,494.56 | N/A | Duration of disability | Maximum weekly benefit is based on the pay of a specific grade level in the Federal Civil Service.**Bene- fits calculated at 75 percent of worker's wage where there are one or more dependents. |
| LHWCA..... | 66 2/3 | \$233.46 - 50% of NAWW**, or worker's actual wage if less. | \$933.82 | 200% of NAWW | Duration of disability | **National Average Weekly Wage is \$466.91. |

*Federal Employees' Compensation Act;
Longshore and Harbor Workers' Compensation Act.